



Applicant's Docket No. U011904-5

PATENT

TECH CENTER 1600/2900

NOV 14 2001

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: VIDYA BRAJ LOHRAI, ET AL.

Serial No.: 09/179,002

Group No.: 1624

Filed: OCTOBER 26, 1998

Examiner: RAYMOND, R.

For: NOVEL HETEROCYCLIC COMPOUNDS AND THEIR USE IN MEDICINE, PROCESS
FOR THEIR PREPARATION AND PHARMACEUTICAL COMPOSITIONS
CONTAINING THEM

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. 1.97(c))

NOTE: An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a statement as specified in paragraph (e) of section 1.97 or the fee set forth in § 1.17(p).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: October 18, 2001

Signature

JANET I. CORD

(type or print name of person certifying)

*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement



will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. 1.17(p), the Office action shall not be made final. Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,

whichever occurs first.

STATEMENT OR FEE

2. Accompanying this transmittal is
(check either A or B below)

A. ☐ a statement as specified in 37 C.F.R. 1.97(e).

OR

B. ☒ the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

METHOD OF PAYMENT OF FEE

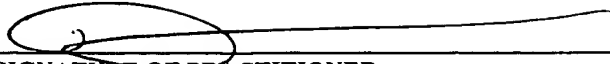
3. ☒ Attached is a check in the amount of \$ 180.00.
☐ Charge Account No. _____ in the amount of \$ _____.
A duplicate of this request is attached.

If any additional fees are due, please charge Account 12-0425.

Reg. No. 33,778

Tel. No.: (212) 708-1935

Customer No.: 00140


SIGNATURE OF PRACTITIONER

JANET I. CORD

(type or print name of practitioner)

P.O. Address

c/o Ladas & Parry
26 West 61st Street
New York, N.Y. 10023



RECEIVED
NOV 14 2001
TECH CENTER 1600/2900

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: VIDYA BRAJ LOHRAY, ET AL.

Serial No.: 09/179,002

Group No.: 1624

Filed: OCTOBER 26, 1998

Examiner: RAYMOND, R.

For: NOVEL HETEROCYCLIC COMPOUNDS AND THEIR USE IN MEDICINE, PROCESS
FOR THEIR PREPARATION AND PHARMACEUTICAL COMPOSITIONS
CONTAINING THEM

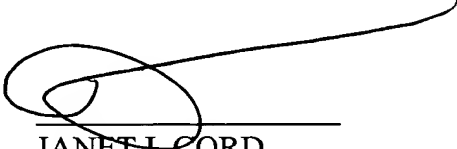
Attorney Docket No.: U011904-5

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

We draw the attention of the Examiner to the attached references which are also listed
on the attached Form PTO-1449.

Respectfully submitted,


JANET I. CORD
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NY 10023
REG. NO: 33,778 (212) 708-1935

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed)
is being deposited with the United States Postal Service on the date shown below with sufficient
postage as first class mail in an envelope addressed to the: Commissioner of Patents and
Trademarks, Washington, D.C. 20231

11/14/2001 MBERHE 00000054 09179002

01 FC:126

180.00 OP

Date: October 18, 2001

Janet I. Cord
(Type or print name of person mailing paper)


(Signature of person mailing paper)